

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No.M-1626 of 2015
Date of decision : 29.11.2016**

Rinki

.....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. B.S. Brar, Advocate
for the petitioner.**

Mr. V.P.S. Sidhu, A.A.G. Punjab.

ANITA CHAUDHRY, J.

This is a petition by the complainant seeking cancellation of bail allowed to respondents no.2 & 3, by the Addl. Sessions Judge on 04.11.2014. The petitioner had approached the Addl. Sessions Judge for cancellation of bail. Her application has been dismissed. The petitioner is seeking cancellation of the bail on the ground that a compromise was effected after the registration of the FIR and respondent no.2 took the petitioner and made her fall from the motorcycle and she suffered injuries. It was urged that a DDR was registered.

The State counsel confirms that proceedings were initiated under Section 107/151 Cr.P.C. No FIR had been registered.

On the last hearing, the petitioner had placed on record the

zimni orders, which show that the case is being adjourned as the State has not been able to verify whether Leela Devi has died. The case is being adjourned only for that purpose for almost a year.

On the last hearing, directions had been given to the State to appear before the trial Court and submit its report regarding the death. The same has still not been done instead the report has been brought to this Court. The trial is held up for want of that report. The Investigating Officer would submit the report before the trial Court on the next date of hearing and for causing delay they are burdened with cost of Rs.2,500/-, which would be deposited with the concerned District Legal Services Authority.

I have heard the submissions of both the sides.

The petitioner is seeking cancellation of bail on the ground that after the compromise the husband took the petitioner on his motorcycle and made her fall from the motorcycle and she suffered injuries. The MLR placed on record does not refer to any history given by the petitioner though she was conscious. The police has challaned the husband only under Section 107/151 Cr.P.C. Had there been an element of intention, the police would have lodged the FIR. No complaint has been filed in any Court. No case for cancellation is made out.

The petition is dismissed.

29.11.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No